



American Indian/Alaska Native/Native Hawaiian

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American Indian, Alaska Native and Native Hawaiian Education in the States

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Overview

State policies pertaining to the education of American Indian, Alaska Native and Native Hawaiian students vary considerably in their scope and type among the states. This report examines policies found in state statutes. Additionally, states that have tribal colleges – independent colleges that are operated by the tribes – within their borders are identified, as are the tribal colleges. Overall, 20 states have policies pertaining to American Indian, Alaska Native or Native Hawaiian education, and the 36 tribal colleges can be found in 14 states.

At the federal level, the Bureau of Indian Affairs is responsible for the education of Native Americans on Indian reservations, and federal laws address the issue in three parts:

- [Indian Education](#)
- [Native Hawaiian Education](#)
- [Alaska Native Education](#)

Summary of findings:

In-state Tuition or Scholarships

Ten states either grant in-state tuition or offer scholarships to members of certain tribes: **Alaska, Arizona, Colorado, Idaho, Minnesota, New Mexico, New York, North Dakota, South Dakota and Washington**. Additionally, **Oklahoma** authorizes the Native American Cultural and Educational Authority to create an endowment fund to provide scholarships to members of federally recognized Indian tribes located in the state. Subject to legislative allocation, **Montana** provides funds to tribal colleges for enrolled Montana-resident students who are not enrolled members of a tribe. (Several states operate programs that are targeted towards minority individuals from multiple racial/ethnic groups, including Native Americans. Listed scholarships are those specifically targeted towards Native Americans.)

Native Language Provisions

Seven states have established policies that wholly or in part pertain to native languages: **Alaska, Hawaii, Idaho, Minnesota, Nebraska, New Mexico and Oregon**. These policies range from those designed to offer alternative certification for teachers of native languages to those establishing language centers meant to preserve native languages.

Native Americans in the Curriculum

Seven states have established policies that address curriculum and instruction *about* Native Americans: **Arizona, California, Indiana, Montana, New Mexico, North Dakota and Washington**. These policies include those that address the establishment of a Native American curriculum for social studies or history classes and those that aim to ensure that existing curriculum about Native Americans is accurate.

State or Local Agencies Authorized to Enter into Agreements

Six states have established policies that authorize state or local education agencies to enter into agreements with either the Bureau of Indian Affairs or sovereign tribes regarding education of Native American students: **Alaska, Arizona, Minnesota, New Mexico, New York and South Dakota.**

Other Policies of Note:

Minnesota's American Indian Education Act and **New Mexico's Indian Education Act** are far-reaching policies that address multiple aspects of Native American education.

California establishes the fourth Friday in September Native American Day and authorizes the state board to develop a curriculum for educational activities that take place in relation to Native American day. **Illinois** designates the fourth Friday of September as American Indian Day and **Kentucky** declares November as Native American Indian Month.

Report Organization

- State Summary Table
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- Tribal Colleges

Corrections and additions from statutory collections are welcome. For the reader's convenience, links are provided to statutory language when possible. However, this language may not reflect recent amendments.

Summary Table

State	Tribal College (How Many)	Native Language Provisions	State or Local Agencies Authorized to Enter into Contracts for Indian Education	In-State Tuition / Scholarships for Higher Education	Other Policies
Alaska		X	X	X	X
Arizona	X (2)		X	X	X
California	X (1)				X
Colorado				X	X
Hawaii		X			X
Idaho		X		X	
Illinois					X
Indiana					X
Kansas	X (1)				
Kentucky					X
Michigan	X (3)				
Minnesota	X (3)	X	X	X	X

State	Tribal College (How Many)	Native Language Provisions	State or Local Agencies Authorized to Enter into Contracts for Indian Education	In-State Tuition / Scholarships for Higher Education	Other Policies
Montana	X (7)			X	X
Nebraska	X (2)	X			X
New Mexico	X (3)	X	X	X	X
New York			X	X	X
North Carolina					X
North Dakota	X (5)			X	X
Oklahoma	X (1)			X	X
Oregon		X			X
South Dakota	X (4)		X	X	
Washington	X (1)			X	X
Wisconsin	X (2)				
Wyoming	X (1)				

State Profiles

Alaska

[ALASKA STAT. § 14.07.030](#)

Authorizes the department of education to enter into contractual agreements with the Bureau of Indian Affairs or with a school district to share boarding costs of secondary school students.

[ALASKA STAT. § 14.08.101](#)

Authorizes regional school boards to contract with the department of education, the Bureau of Indian Affairs, or any other school district, agency or regional board for the provision of services, facilities, supplies or utilities.

[ALASKA STAT. § 14.08.031](#)

Pertains to education in the unorganized borough. Directs the Department of Commerce, Community and Economic Development in consultation with the Department of Education and Early Development and local communities to divide the unorganized borough into educational service areas. Educational service areas constitute a regional educational attendance area. U.S. Bureau of Indian Affairs schools must be included in a regional educational attendance area boundary. (Alaska is divided into 16 organized boroughs and one unorganized borough. A geographical majority of the state comprises the unorganized borough. Unlike organized boroughs, the unorganized borough is not a municipal corporation or political subdivision of the state. It is a unit of state government¹.)

[ALASKA STAT. § 14.14.110](#)

When necessary to provide more efficient or more economical educational services, districts may cooperate or the department may require a district to cooperate with other districts, state-operated schools or the Bureau of Indian Affairs in providing educational or administrative services.

[ALASKA STAT. § 14.20.025](#)

Authorizes the issuing of limited certificates to teach Alaska Native language or culture. Applicants must demonstrate instructional skills and subject matter expertise sufficient to ensure the public that the person is competent as a teacher. The state board may require a person issued a limited certificate to undertake and make satisfactory progress in academic training.

[ALASKA STAT. § 14.25.048](#)

Addresses eligibility of teachers of Alaska Native language and culture to participate in the state's retirement system.

[ALASKA STAT. § 14.30.420](#)

Requires that school boards establish a local native language curriculum advisory board for each school in the district in which a majority of the students are Alaska Natives. Authorizes any district with Alaska Native students to establish an advisory board for each school with Alaska Native students in their district. If the advisory board recommends the establishment of a native language education curriculum for a school, the school board may initiate and conduct a native language education curriculum for kindergarten through 12th grades at that school. Programs must include native languages traditionally spoken in the community in which the school is located.

[ALASKA STAT. § 14.40.117](#)

Directs the University of Alaska to establish an [Alaska Native Language Center](#). The purposes of the center are to: (1) study languages native to Alaska, (2) develop literacy materials, (3) assist in the translation of important documents, (4) provide for the development and dissemination of Alaska Native literature and (5) train Alaska Native language speakers to work as teachers and aides in bilingual classrooms.

[ALASKA STAT. § 14.43.050 through ALASKA STAT. § 14.43.075](#)

Establishes University of Alaska scholarships for Native Alaskans. Directs the board of regents of the University of Alaska to offer up to 15 new scholarships for each academic year to Alaska Natives desiring to attend the University of Alaska. Preference is to be given to Native Alaskans residing in the rural areas of the state who desire to receive training in the field of education. If there are more than 15 applicants, the board will award 15 scholarships to those applicants with the highest scholastic record or to those who are the most qualified among the applicants and who are financially unable to obtain a higher education without assistance. The University of Alaska will provide such minimum financial assistance to these students as is necessary in each individual case, but not exceeding fees, room and board.

Each Native who receives a scholarship is entitled to retain the scholarship and to receive free room and board during attendance at the University of Alaska as long as the student maintains a grade average equivalent to a "C" or better. However, no Native is entitled to the scholarship for more than four years, or for more than the number of years necessary to receive a bachelor's degree.

Arizona

[S.B. 1363](#) (2006)

Establishes the office of Indian education in the department of education and directs the state superintendent to hire appropriate staff.

The office of Indian education will:

- Provide technical assistance to schools and Indian nations to meet the educational needs of Native American students
- Provide technical assistance to schools and Indian nations in the planning, development, implementation and evaluation of curricula that are culturally relevant and aligned to state standards
- Provide technical assistance to schools and Indian nations to develop culturally appropriate curricula and instructional materials
- Establish an Indian education advisory council that will include parents who are not certified teachers
- Encourage and foster parental involvement.

At least once a year, representatives from all Indian nations, members of the state board, the governor's office, the state commission on Indian affairs, the intertribal council of Arizona, the legislature, the superintendent of public instruction and the Indian education advisory council will meet to assist in evaluation, consolidating and coordinating all activities relating to the education of Native American students.

All school districts with tribal lands located within their boundaries are required to provide a district-wide Native American education status report to all Indian Nations represented within the district's boundaries and to the department of education. Based on this data, the office of Indian education, in collaboration with entities that serve Native American students, will submit an annual statewide Native American education status report to all Indian nations in the state. The division will provide a copy of this report to the secretary of state and the director of the state library, archives and public records.

Reports prescribed under this policy must be written in a brief format and include the following information, through which public school performance is measured and reported to the Indian Nations:

- Student achievement as measured by a statewide test approved by the state board, with results disaggregated by ethnicity
- School safety
- The dropout rate
- Attendance
- Parent and community involvement
- Educational programs that target Native American pupils
- Financial reports
- The current status of federal Indian education policies and procedures
- School district initiatives to decrease the number of student dropouts and increase attendance
- Public school use of variable school calendars
- School district consultations with parent advisory committees.

[ARIZ. REV. STAT. ANN. § 15-205](#)

Authorizes the state board of education to enter into contracts with the department of the interior for the welfare and education of Indians in schools of the state, in accordance with the federal [Indian Self-Determination and Education Assistance Act](#). The state board will administer the expenditure of federal funds provided under such contracts.

[ARIZ. REV. STAT. ANN. § 15-710](#)

All schools are required to give instruction in the history of Arizona, including the history of Native Americans in Arizona. Instruction must be given in accordance with the state course of study for at least one year of the common school grades and high school grades respectively.

[ARIZ. REV. STAT. ANN. § 15-1802](#)

A person who is a member of an Indian tribe recognized by the United States department of the interior whose reservation land lies in Arizona and extends into another state and who is a resident of the reservation is entitled to classification as an in-state student.

California

[CAL. EDUC. CODE § 13040 through CAL. EDUC. CODE § 13042](#)

Directs the state librarian to develop – in consultation with the department of education and the curriculum development and supplemental materials commission related to history-social science curriculum framework and content standards – California Native American instructional resources for use in public schools maintaining any combination of instructional settings from kindergarten through 12th grade.

In carrying out this policy, the state librarian is encouraged to do or enable each of the following, to the extent possible:

- Involve California Native Americans in the development of the instructional resources
- Consult with local and regional consortia of organizations and individuals engaged in similar educational, research and development efforts
- Coordinate and collaborate with organizations and individuals engaging in similar educational, research and development endeavors
- Utilize creative and innovative methods and approaches in research for, and development of, the instructional resources
- Seek matching funds, in-kind contributions or other sources of support to supplement the funds provided in support of this policy
- Propose the use of a variety of media – including new technology and the arts – to creatively and strategically appeal to pupils while enhancing and enriching community-based educational efforts
- Include scholarly inquiry related to the variety of experiences of California Native Americans
- Add relevant materials to, or catalogue relevant materials in, libraries and other repositories for the creation, publication and distribution of bibliographies, curriculum guides, oral histories and other resource directories; and support the continued development of scholarly work on this subject by making a broad range of archival, library and research materials more accessible to the American public.

Directs the state board to: hold a public hearing regarding the recommendation of the curriculum development and supplemental materials commission; and approve the instructional resources along with any modifications that the board determines to be appropriate. The state board must review the instructional resources in relation to the history-social science content standards and will, at any subsequent revision, make adjustments that it determines to be appropriate. The state board must also ensure that the approved instructional resources are used as an advisory tool in developing the next revision of the history-social science curriculum framework and standards. Upon approval by the state board, the instructional resources are to be made available to educators as efficiently and effectively as available funding will allow.

[CAL. EDUC. CODE § 33370](#)

Establishes the American Indian Education Unit within the state department of education. The unit provides administrative oversight of American Indian education programs established by the state and studies and identifies the cultural and educational disadvantages affecting American Indian children in the public school system. The superintendent of public Instruction appoints the American Indian Education Unit Coordinator.

[CAL. EDUC. CODE § 33380 THROUGH CAL. EDUC. CODE § 33383](#)

Establishes California [American Indian Education Centers](#).

The Legislature hereby finds and declares that Indian children have not succeeded well in California public schools as evidenced by low academic achievement at all grade levels, high dropout rates and by the few students continuing their education beyond high school. It is the intent and purpose of the Legislature to strengthen the instructional program within the public schools by establishing California Indian education centers.

American Indian Education Centers are intended to:

- Improve the academic achievement of American Indian students, with particular emphasis on reading and mathematics

- Improve the self-concept of American Indian students and adults
- Increase the employment of American Indian adults
- Serve as a center for related community activities
- Provide tutorial assistance to pupils in reading and mathematics
- Provide individual and group counseling to pupils and adults related to personal adjustment, academic progress and vocational planning
- Provide coordinated programs with the public schools
- Provide a neutral location for parent-teacher conferences
- Provide a focus for summer recreational sports and academic experience
- Provide adult classes and activities
- Provide college-related training programs for prospective American Indian teachers
- Provide libraries and other related educational material.

The state board, upon the advice and recommendations of the superintendent of public instruction, has the authority to adopt guidelines for the selection and administration of the California Indian Education Centers. Application for the establishment of a California Indian Education Center may be made to the state board by any tribal group or incorporated Indian association – separately or jointly – upon forms provided by the department of education.

[CAL. EDUC. CODE § 37220.7](#)

Establishes Native American Day, allows public schools to be closed on the fourth Friday in September, if the governing board agrees to close schools for that purpose. If schools are closed on that date, on an alternate day determined by the governing board, public schools and educational institutions throughout this state may include exercises – funded through existing resources – commemorating and directing attention to the many contributions that Native Americans have made to this country. Authorizes the state board to adopt a model curriculum guide to be available for use by public schools for exercises related to Native American Day.

Colorado

[COLO. REV. STAT. § 23-52-101](#)

Establishes a college in Durango – to be known as [Fort Lewis College](#) – which will be a public liberal arts college, with selective admission standards with an historic and continuing commitment to Native American education.

[COLO. REV. STAT. § 23-52-105](#)

Requires the general assembly to appropriate from the state general fund one hundred percent of the moneys required for tuition for qualified Indian pupils. Authorizes special programs to assist Native American students to prepare for, begin or continue their college education at Fort Lewis. Indian pupils may not be charged tuition for such programs. The size of any special programs are limited by the facilities and revenues available and by the level of appropriations set by the general assembly. (2004 [Native American Tuition Waiver](#) briefing paper.)

Hawaii

[HAWAII CONST. ART. X, SEC. 4](#)

Hawaii's constitution states that the state will promote the study of Hawaiian culture, history and language. The state is to provide for a Hawaiian education program consisting of language, culture and history in the public schools. The use of community expertise will be encouraged as a suitable and essential means in furtherance of the Hawaiian education program.

[Kamehameha Schools](#)

Although not based in statutes, the Kamehameha Schools serve native Hawaiian students. The schools were founded by the will of Bernice Pauahi Bishop, great-granddaughter and last royal descendant of Kamehameha the Great. Kamehameha schools are private schools and receive funding through a charitable trust. The schools give priority in admissions to individuals of Hawaiian ancestry, a policy that was challenged in *Doe v. Kamehameha Schools*. The policy was upheld in the initial court ruling and later overturned by a later three-judge panel. As of the release of this report, the decision is under appeal.

[HAW. REV. STAT. § 302H-1 through HAW. REV. STAT. § 302H-7](#)

Establishes the Hawaiian language medium education program, which may be a complete educational program or schooling experience provided to students in the medium of the Hawaiian language. Authorizes the department of education to create a separate office of Hawaiian language medium education for the direction and control of the program. Allows publicly funded institutions of higher education to create teacher preparation programs to ensure that pre-service training is provided to students interested in teaching elementary and secondary students in the Hawaiian language.

Allows the department of education to establish a Hawaiian language medium state education agency with the capability of operating districts and complex areas on an equal basis with any other districts and complex areas of the department. The department of education is directed to work collaboratively with the Hawaiian language college of the University of Hawaii at Hilo and any other entities recognized by the legislature for the purpose of addressing Hawaiian language medium education.

[HAW. REV. STAT. § 304-69 and HAW. REV. STAT. § 304-70](#)

Creates a Hawaiian language college at the University of Hawaii at Hilo. The college is required to provide a Hawaiian liberal education program providing education primarily through the Hawaiian language. Establishes a revolving fund into which revenues from the sale of Hawaiian language materials will be deposited. Funds are to be expended to support the Hawaiian language college.

In addition to providing a quality education primarily through the medium of the Hawaiian language, the college is required to: (1) provide an indigenous language outreach program to involve indigenous language scholars and to maintain and develop the program's Polynesian language database; (2) provide a Hawaiian medium teacher training program incorporating Nawahiokalani'opu'u school and other schools, as appropriate, as laboratory schools; and (3) maintain a Hawaiian language support center with educational specialists in the areas of research, curriculum development, language development, archival work and educational technology.

Idaho

[IDAHO CODE § 33-3717B](#)

A student who is a member of any of the following Idaho Native American Indian tribes – regardless of current domicile – is considered to be an Idaho resident for purposes of fees or tuition at institutions of higher education: (1) Coeur d'Alene tribe, (2) Shoshone-Paiute tribes, (3) Nez Perce tribe, (4) Shoshone-Bannock tribes or (5) Kootenai tribe.

[IDAHO CODE § 33-1280](#)

It is the policy of the state of Idaho to preserve, protect and promote the rights of Indian tribes to use, practice and develop their native languages and to encourage American Indians in the state to use, study and teach their native languages in order to encourage and promote:

- The survival of the native language
- Increased student scholarship
- Increased student awareness of the student's culture and history
- Increased student success.

Directs the state board to promulgate rules authorizing American Indian languages teachers to teach in the public schools of the state. Each Indian tribe may establish its own system of designation for

individuals qualified to teach that tribe's native language. In establishing such a system, each tribe will determine:

- The development of an oral and written qualification test
- Which dialects shall be used in the test
- Whether the tribe will standardize the tribe's writing system
- How the teaching methods will be evaluated in the classroom
- The period of time for which a tribal designation shall be valid.

Each Indian tribe will provide to the state board of education the names of those highly and uniquely qualified individuals who have been designated to teach the tribe's native language. Upon receiving the names of American Indian languages teachers designated by an Indian tribe, the state board is directed to authorize those individuals as American Indian languages teachers according to board rules.

The state board of education may not require an American Indian languages teacher who has obtained tribal designation to teach a native language to hold a specific academic degree or to complete a teacher education program. An American Indian languages teaching authorization will qualify the authorized individual to accept a teaching position or assignment in any school district of the state that offers or permits courses in an American Indian language. A holder of an American Indian languages teaching authorization who does not also have a teaching certificate as provided in section [IDAHO CODE § 33-1201](#), may not teach any subject other than the American Indian language for which he or she is authorized to teach.

[IDAHO CODE § 67-429C](#)

Authorizes tribes with existing state-tribal gaming compacts to amend its compact to allow for the use of video gaming machines. One of the stipulations for amending the compacts is that to the extent such contributions are not already required under the tribe's existing compact, the tribe must agree to contribute 5% of its annual net gaming income for the support of local educational programs and schools on or near the reservation. The tribe may elect to contribute additional sums for these or other educational purposes.

Illinois

[105 ILL. REV. STAT. 5/27-20](#)

Designates the fourth Friday of September as American Indian Day.

Indiana

[IND. CODE ANN. § 4-4-31.4-8](#)

Establishes the Native American Indian Affairs Commission. The commission is directed to study problems common to Native American Indian residents of Indiana in the areas of employment, education, civil rights, health and housing. The commission is authorized to make recommendations to the appropriate federal, state and local governmental agencies in a number of areas, including:

- Cultural barriers to the educational system, including barriers to higher education and opportunities for financial aid and minority scholarships
- Inaccurate information and stereotypes concerning Native American Indians, including the accuracy of educational curriculum
- Measures to stimulate job skill training and related workforce development, including initiatives to assist employers to overcome communication and cultural differences

Kentucky

[KY. REV. STAT. § 2.230](#)

Establishes November as "Native American Indian Month" and encourages schools, clubs and civic and religious organizations to recognize the contributions of Native American Indians with suitable ceremony

and fellowship designed to promote greater understanding and brotherhood between Native American Indians and the non-Native American Indian people of the Commonwealth of Kentucky.

The department of education, the Kentucky Heritage Council and the Native American Heritage Commission (established in [KY. REV. STAT. § 171.820](#)) will – within the limits of funds available for this purpose – make information available regarding Native American Indian Month and its observance.

Minnesota

[MINN. STAT. § 122A.63](#)

Establishes a grant program to assist American Indians in becoming teachers and provides additional education for American Indian teachers. The policy authorizes the commissioner of education to award a joint grant to:

- The Duluth campus of the University of Minnesota and independent school district number 709
- Bemidji State University and independent school district number 38, Red Lake
- Moorhead State University and one of the school districts located within the White Earth reservation
- Augsburg College, independent school district number 625, St. Paul and special school district number one, Minneapolis.

In order to qualify for a joint grant, applicants must describe the "in-kind, coordination, and mentorship services to be provided by the postsecondary institution" and "the coordination and mentorship services to be provided by the school district."

The following American Indians are eligible for scholarships:

- Students, including teacher aides employed by a district receiving a joint grant, who intend to become teachers and who are enrolled in a postsecondary institution receiving a joint grant
- Licensed employees of a district receiving a joint grant, who are enrolled in a master of education program
- Students who, after applying for federal and state financial aid and an Indian scholarship according to section MINN. STAT. § 124D.84, have financial needs that remain unmet.

Scholarships are given in the form of forgivable loans, which are completely forgiven following four years of service in an eligible program or school in Minnesota.

[MINN. STAT. § 123B.02](#)

Authorizes school districts to enter in to agreements with Indian tribal governments for purposes of providing educational services for students. Agreements may allow for the use of any resources available to either party and must give students the option to enroll in the district at their election.

[MINN. STAT. § 128B.011](#)

States that the "care, management, and control of Pine Point School is vested in the White Earth Reservation Tribal Council." The council has the same powers and duties as a school board under chapters MINN. STAT. § 120A through MINN. STAT. § 129C and other provisions applicable to school boards.

The American Indian Education Act of 1988: ([MINN. STAT. § 124D.71](#) through [MINN. STAT. § 124D.84](#))

The legislature finds that a more adequate education is needed for American Indian people in the state of Minnesota. The legislature recognizes the unique educational and culturally related academic needs of American Indian people. The legislature also is concerned about the lack of American Indian teachers in the state. Therefore, pursuant to the policy of the state to ensure equal educational opportunity to every individual, it is the purpose of sections [MINN. STAT. § 124.71 through MINN. STAT. § 124.82] to provide for American Indian education programs specially designed to meet these unique educational or culturally related academic needs or both.

American Indian education programs are programs in public elementary and secondary schools, nonsectarian nonpublic, community, tribal, charter or alternative schools enrolling American Indian children designed to:

- Support postsecondary preparation for pupils
- Support the academic achievement of American Indian students with identified focus to improve reading and mathematic skills
- Make the curriculum more relevant to the needs, interests and cultural heritage of American Indian pupils
- Provide positive reinforcement of the self-image of American Indian pupils
- Develop intercultural awareness among pupils, parents, and staff
- Supplement, not supplant, state and federal educational and cocurricular programs.

The policy addresses numerous aspects of American Indian education, including:

- Licenses for American Indian language and culture education teachers
- Teachers' aides; community coordinators
- Recruiting and retaining Indian teachers
- Parent and community participation
- Community and commissioner participation in American Indian education
- Continuation of Indian education grants
- State revenue for American Indian tribal contract or grant schools
- Indian scholarships.

[MINN. STAT. § 135A.12](#)

This policy applies to each public postsecondary governing board and each public postsecondary institution. The board of each institution, at the request of ten or more full-time American Indian students, is required to establish an advisory committee, in consultation with tribal designated representatives. The advisory committee will recommend instructional programs and student services to meet the unique needs of American Indian people.

American Indian languages

A student who is proficient in an American Indian language may have the opportunity to be assessed, placed or to receive credit for skills in that language in the same manner that a student is assessed, placed or receives credit for skills in languages other than English.

Qualifications for American Indian studies and services

American Indian individuals who understand and have demonstrated knowledge of American Indian language, history or culture may be considered to be competent to provide instruction in American Indian language, history or culture programs. Qualifications to provide noninstructional services at postsecondary institutions for American Indian people must take into consideration knowledge of and understanding of American Indian language, history or culture.

[MINN. STAT. § 136F.12](#)

States that the "Fond du Lac campus has a unique mission among two-year colleges to serve the lower division general education needs in Carlton and south St. Louis Counties, and the education needs of American Indians throughout the state and especially in northern Minnesota."

Authorizes the college to offer a baccalaureate program in elementary education, as approved by the Board of Trustees of the Minnesota State Colleges and Universities, and the board of directors of Fond du Lac Tribal and Community College.

[MINN. STAT. § 137.16](#)

Requires the [University of Minnesota at Morris](#) to admit American Indian pupils qualified for admission free of charge for tuition and on terms of equality with white students.

Montana

[MONT. CODE ANN. § 20-1-501](#) through [MONT. CODE ANN. § 20-1-503](#)

(1) It is the constitutionally declared policy of this state to recognize the distinct and unique cultural heritage of American Indians and to be committed in its educational goals to the preservation of their cultural heritage.

(2) It is the intent of the legislature that in accordance with [Article X, section 1\(2\)](#), of the Montana constitution:

(a) every Montanan, whether Indian or non-Indian, be encouraged to learn about the distinct and unique heritage of American Indians in a culturally responsive manner; and

(b) every educational agency and all educational personnel will work cooperatively with Montana tribes or those tribes that are in close proximity, when providing instruction or when implementing an educational goal or adopting a rule related to the education of each Montana citizen, to include information specific to the cultural heritage and contemporary contributions of American Indians, with particular emphasis on Montana Indian tribal groups and governments.

(3) It is also the intent of this part, predicated on the belief that all school personnel should have an understanding and awareness of Indian tribes to help them relate effectively with Indian students and parents, that educational personnel provide means by which school personnel will gain an understanding of and appreciation for the American Indian people.

The policy defines American Indian studies as instruction pertaining to the history, traditions, customs, values, beliefs, ethics and contemporary affairs of American Indians, particularly Indian tribal groups in Montana.

Instruction can occur in a number of ways:

- A formal course of study or class, developed with the advice and assistance of Indian people, that is offered separately or that is integrated into existing accreditation standards by a unit of the university system or by an accredited tribal community college located in Montana, including a teacher education program within the university system or a tribal community college located in Montana, or by the board of trustees of a school district
- Inservice training developed by the superintendent of public instruction in cooperation with educators of Indian descent and made available to school districts
- Inservice training provided by a local board of trustees of a school district, which is developed and conducted in cooperation with tribal education departments, tribal community colleges or other recognized Indian education resource specialists
- Inservice training developed by professional education organizations or associations in cooperation with educators of Indian descent and made available to all certified and classified personnel.

The board of trustees for an elementary or secondary public school district may require that all of its certified personnel satisfy the requirements for instruction in American Indian studies. Members of boards of trustees and all non-certified personnel in public school districts are encouraged to satisfy the requirements for instruction in American Indian studies.

[MONT. CODE ANN. § 20-5-108](#)

It is the duty of the trustees of any district where an Indian child resides to require the child to attend school in the same manner as any other child residing in the district, unless it is prohibited by the laws or treaties affecting the Indian tribe of which such child is a member or the Indian reservation on which such child resides. When such a prohibition exists, the trustees of any district have the authority to accept from the tribal council or other governing body of the Indian tribe or the Indian reservation authorization to enforce the compulsory attendance provisions of this title and compel the school attendance of the Indian children belonging to the tribe or residing on the reservation.

[MONT. CODE ANN. § 20-8-107](#)

Indian children who are Montana residents are eligible for admission to the state school for the deaf and blind, and must be admitted to the school on the same terms as residents.

[MONT. CODE ANN. § 20-25-428](#)

Subject to legislative appropriation, the state's higher education regents are directed to provide financial assistance to tribally controlled community colleges for enrolled resident nonbeneficiary students who are taking courses for which credit is transferable to another Montana college or university. To qualify, the student must meet the residency requirements determined for the system by the regents and be enrolled in courses for which credit is transferable to another Montana college or university. The distribution for any full-time equivalent student is limited to a maximum of \$ 3,024 each year. The limit of financial assistance to nonbeneficiary students does not apply to nonbeneficiary students enrolled in a course directly related to a vocational degree program or to a two- to four-year degree program or certificate program. (Nonbeneficiary students are those who are not enrolled members of a tribe, but who attend a tribal college.)

[MONT. CODE ANN. § 20-32-102](#)

Directs the department of administration to study the use of the Montana Educational Telecommunications Network ([METNET](#)) by Native American tribal colleges and other nonpublic education institutions in the state, with the long-range goal of coordinating the use of the network with those entities.

Nebraska

[NEB. REV. STAT. 79-802.01](#)

Authorizes school districts and postsecondary educational institutions to employ approved American Indian language teachers to teach their native language. Approved American Indian language teachers are those who have passed the tribe's written and oral approval test. Unless they also have a Nebraska teaching certificate, they may not teach any subject other than the American Indian language they are approved to teach.

Directs each tribe to develop both a written and an oral test that must be successfully completed in order to determine that a teacher is approved to teach the tribe's native language. When developing such approval tests, the tribe may include, but not be limited to, which dialects will be used, whether it will standardize its writing system and how the teaching methods will be evaluated in the classroom. Teacher approval tests are to be administered at a community or state college.

New Mexico

[N.M. STAT. ANN. § 21-1-3](#)

For the purpose of tuition payment and budget and revenue calculations, "resident student" includes a member of an Indian nation, tribe or pueblo located wholly or partially in New Mexico, regardless of the residence of the member prior to acceptance at a post-secondary educational institution.

[N.M. STAT. ANN. § 21-10-1 through N.M. STAT. ANN. § 21-10-3](#)

Provides funds to New Mexico State University so that agricultural and engineering education and work experience opportunities may be provided to Indian students to help prepare them for agricultural sciences, engineering sciences and management positions in irrigation projects and energy resources development. Creates the "Indian resources development program" to assist the education and training, through practical on-the-job experience opportunities, of Indian students in the agricultural, engineering and associated management sciences for the purpose of insuring the successful development and management of the agricultural and energy resources on Indian lands.

[N.M. STAT. ANN. § 21-10-4 through N.M. STAT. ANN. § 21-10-9](#)

The Indian Resources Development Act creates statewide Indian resources development institutes, located at New Mexico State University and the University of New Mexico, so that the state can participate with the federal government and Indian tribes for the purpose of assisting Indian tribes in developing agricultural, mineral, energy, forestry, wildlife, recreation and business resources and associated technical and managerial resources and other areas deemed necessary to promote their economic self-sufficiency.

Indian resources development institutes provide research, educational and service programs that are to directly and indirectly contribute to the more effective utilization of the natural and human resources and related business activities on Indian lands. The institutes may provide programs for education and training and other necessary areas that will directly contribute toward providing Indian people the technical and managerial knowledge and experience necessary for efficient utilization of their natural resources.

[N.M. STAT. ANN. § 21-10-10 through N.M. STAT. ANN. § 21-10-12](#)

Provides funds to New Mexico State University to create an Indian scientific educational assistance and work experience program so that agriculture, engineering and business education and related work experience opportunities may be provided to Indian students to help prepare them for agricultural sciences, engineering sciences and management positions in irrigation projects, energy resources development, forestry projects, outdoor recreation activities and small business development.

[N.M. STAT. ANN. § 22-23-1 through N.M. STAT. ANN. § 22-23-6](#)

Instructional materials for Native American bilingual multicultural education programs are to be written, when permitted by the Indian nation, tribe or pueblo, and if written materials are not available, an oral standardized curriculum will be implemented. For Native American students enrolled in public schools, equitable and culturally relevant learning environments, educational opportunities and culturally relevant instructional materials are required to satisfy a goal of the Indian Education Act. To be eligible for state financial support, each bilingual multicultural education program must provide for the educational needs of linguistically and culturally different students, including Native American students.

The Indian Education Act: [N.M. STAT. ANN. § 22-23A-1 through N.M. STAT. ANN. § 22-23A-8](#) (1978)

New Mexico's Indian Education Act is intended to:

- Ensure equitable and culturally relevant learning environments, educational opportunities and culturally relevant instructional materials for American Indian students enrolled in public schools
- Ensure maintenance of native languages
- Provide for the study, development and implementation of educational systems that positively affect the educational success of American Indian students
- Ensure that the department of education partners with tribes to increase tribal involvement and control over schools and the education of students located in tribal communities
- Encourage cooperation among the educational leadership of Arizona, Utah, New Mexico and the Navajo Nation to address the unique issues of educating students in Navajo communities that arise due to the location of the Navajo Nation in those states
- Provide the means for a formal government-to-government relationship between the state and New Mexico tribes and the development of relationships with the education division of the Bureau of Indian Affairs and other entities that serve American Indian students
- Provide the means for a relationship between the state and urban American Indian community members to participate in initiatives and educational decisions related to American Indian students residing in urban areas
- Ensure that parents, tribal departments of education, community-based organizations, the department of education, universities, and tribal, state and local policymakers work together to find ways to improve educational opportunities for American Indian students
- Ensure that tribes are notified of all curricula development for their approval and support
- Encourage an agreement regarding the alignment of the Bureau of Indian Affairs and state assessment programs so that comparable information is provided to parents and tribes; and
- Encourage and foster parental involvement in the education of Indian students.

The Act authorizes the state board – in consultation with tribes – to adopt and promulgate rules to implement the Act's provisions, and creates an Indian Education Division, an Indian Education Advisory Council and an Indian Education Fund.

Indian Education Division

The Indian Education Division exists within the department of education and is directed by the secretary of Indian education, who is appointed by the secretary of education.

The Indian Education Division is responsible for:

- Providing assistance to school districts and tribes to meet the educational needs of American Indian students
- Providing assistance to school districts and tribes in the planning, development, implementation and evaluation of curricula in native languages, culture and history designed for American Indian students
- Developing or selecting for implementation a challenging, sequential, culturally relevant curriculum to provide instruction to American Indian students in kindergarten through 6th grade to prepare them for pre-Advanced Placement and Advanced Placement coursework in grades 7 through 12
- Providing assistance to school districts and tribes to develop curricula and instructional materials in native languages, culture and history in conjunction and by contract with native language practitioners and tribal elders, unless the use of written language is expressly prohibited by the tribe
- Establishing an Indian Education Advisory Council
- By January 2006, entering into agreements with each tribe or authorized tribal educational entity to share programmatic information and to coordinate technical assistance for public schools that serve American Indian students
- Seeking funds to establish an Indian education office in the northwest corner of the state to implement agreements with each tribe or authorized tribal educational entity, monitor the progress of American Indian students and coordinate technical assistance at the public schools that serve American Indian students
- Requiring school districts to obtain a signature of approval by the tribal governments or tribal government designees residing within school district boundaries, verifying that the tribes agree to Indian education policies and procedures pursuant to federal requirements
- Seeking funds to establish, develop and implement the following support services for the purposes of increasing the number of American Indian teachers and principals and providing continued professional development for educational assistants, teachers and principals serving American Indian students, in conjunction with the Indian Education Advisory Council: (1) recruitment and retention; (2) academic transition programs; (3) academic financial support; (4) teacher preparation; (5) teacher induction; and (6) professional development
- Developing curricula to provide instruction in tribal history and government and developing plans to implement these subjects into history and government courses in school districts throughout the state
- Ensuring that native language bilingual programs are part of a school district's professional development plan, as provided in N.M. STAT. ANN. § 22-10A-19.1
- Developing a plan to establish a post-secondary investment system for Indian students to which parents, tribes and the state may contribute.

The Indian Education Division in collaboration with the education division of the Bureau of Indian Affairs and other entities that serve American Indian students is required to submit an annual statewide American Indian education status report to all tribes. A school district with tribal lands located within its boundaries must provide a districtwide American Indian education status report to all tribes represented within its boundaries.

Status reports must include the following information, through which public school performance is measured and reported to the tribes: (1) student achievement as measured by a statewide test approved by the state board, with results disaggregated by ethnicity; (2) school safety; (3) the dropout rate; (4) attendance; (5) parent and community involvement; (6) educational programs targeting American Indian students; (7) financial reports; (8) current status of federal Indian education policies and procedures; (9) school district initiatives to decrease the number of student dropouts and increase

attendance; (10) public school use of variable school calendars; and (11) school district consultations with parent advisory committees.

Indian Education Advisory Council

The Indian Education Advisory Council consists of 14 members: (1) four representatives from the Navajo Nation; (2) two representatives, one from the Mescalero Apache Tribe and one from the Jicarilla Apache Nation; (3) four representatives, two from the southern pueblos and two from the northern pueblos; and (4) four members representing urban areas, the Bureau of Indian Affairs, head start organizations and the general public. At least one member must be non-Indian, but all members must have knowledge of and involvement in the education of Indian students.

On a semiannual basis, representatives from all tribes, members of the state board, the governor's office, the New Mexico Office of Indian Affairs, the Legislature, the state superintendent and the Indian Education Advisory Council meet to assist in evaluating, consolidating and coordinating all activities relating to the education of American Indian students.

Indian Education Fund

The Indian Education Fund exists in the state treasury and consists of appropriations, gifts, grants and donations and income from investment of the fund. Money in the fund may not revert to any other fund at the end of a fiscal year. The department of education is directed to develop procedures and rules for the award of money from the fund.

New York

Indian Schools: [N.Y. EDUC. LAW § 4101 through N.Y. EDUC. LAW § 4119](#)

Directs the commission of education to establish schools and maintain courses he deems necessary for the education of Indian children. The commissioner is authorized to contract with any school district to provide for the education of Indian children instead of establishing schools and maintaining courses. Indian children who reside on a reservation are not entitled to a tuition-free education in districts outside the reservation, although the school district trustees and the commissioner of education may approve enrollment on a tuition-free basis.

The policy directs the commissioner to hire appropriate staff, including principals, vice principals and teachers. Indian children between six and 16 years old are required to attend school, and it is the duty of the child's parents to ensure that the child attends school. (Indian children between 14 and 16 years old who are lawfully employed may be exempted from this requirement.) Parents who fail to send their children to school may be fined or imprisoned up to 30 days for repeated offenses. Any person who unlawfully employs an Indian child may be fined.

Teachers are required to maintain accurate attendance records, and schools on reservations must hire attendance officers who are authorized to arrest without warrant any truant Indian child between six and 16 years old. The commissioner may contract with any city or district that operates a school for delinquents to confine, maintain and instruct a truant student. Apportionment of funds to educate Indian children is addressed in N.Y. EDUC. LAW § 4115, and N.Y. EDUC. LAW § 4117 addresses the apportionment of funds for physically handicapped Indian children.

The department of education is directed to select students for attendance at postsecondary institutions from the several tribes in the state. Indian students not residing on a reservation are eligible for selection. Students attending postsecondary institutions under this section receive grants [from the state](#) to attend institutions within the state.

North Carolina

State Advisory Council on Indian Education: [N.C. GEN. STAT. § 115C-210 through N.C. GEN. STAT. § 115C-210.4](#)

Establishes the State Advisory Council on Indian Education, an advisory council to the state board of education.

The Advisory Council's duties are:

- To advise the state board on ways to meet more effectively the educational needs of Indian students
- To advocate meaningful programs to reduce and eventually eliminate low achievement and concurrent high attrition rates among American Indian students
- To prepare an annual report on a fiscal year basis on the status of Indian education, to be presented to the state board and to the various Indian tribal organizations at the statewide Indian Unity Conference
- To work closely with the Division of Indian Education in the Department of Public Instruction to improve coordination and communication between and among programs
- To advise the state board on any other aspect of Indian education when requested by the state board to do so.

The 15-member council consists of: (1) an appointed state senator and representative; (2) two Indian members from higher education; (3) one Indian member from the North Carolina Commission on Indian Affairs; (4) eight Indian parents of students enrolled in public schools; and (5) two Indian educators from public elementary/secondary schools. Indian members of the Council are to be broadly representative of North Carolina Indian tribes and organizations, specifically, the Eastern Band of Cherokee, Lumbee, Coharie, Waccamaw-Siouan, Haliwa Saponi, Meherrin, Person County Indians, Cumberland County Association for Indian People, the Guilford Native American Association, the Metrolina Native American Association and any other Indian tribe gaining state recognition in the future.

[N.C. GEN. STAT. § 116-13.1](#)

Designates the University of North Carolina at Pembroke as the state's historically American Indian University.

North Dakota

State Board for Indian Scholarships: [N.D. CENT. CODE § 15-63-01 THROUGH N.D. CENT. CODE § 15-63-07.](#)

Establishes a state board for Indian scholarships. The board consists of an Indian appointed by the governor, the executive director of the state Indian affairs commission and the commissioner of higher education or a designee.

Duties of the board are:

- Awarding scholarship grants
- Making necessary rules and establishing standards, requirements and procedures for administration of the policy
- Encouraging members of Indian tribes to attend and graduate from any institution of higher learning or state career and technical education program within the state, and to make application for scholarships.

Eligibility of state residents who are enrolled members of federally recognized Indian tribes must be determined by the board after the candidate has gained admission to any institution of higher learning or state career and technical education program within the state and has had this fact certified to the board. Factors to be considered in the award of these scholarships are the candidate's financial need and probable and continuing success as a student.

Recipients are eligible for a credit in fees in the enrolling institution to apply toward the cost of registration, health, activities, board, books and other necessary items, not to exceed \$667 per quarter for three quarters, or \$1,000 per semester for two semesters, in any academic year. After the enrolling institution has deducted the amount due it, the remaining balance is given to the student for necessary expenses during the quarter or semester. Renewal of the scholarship is subject to the student maintaining at least a C average.

[N.D. CENT. CODE § 15-68-01 through N.D. CENT. CODE § 15-68-06](#)

Establishes the Indian Cultural Education Trust. The trust is established for the purpose of generating income to benefit Indian culture.

[N.D. CENT. CODE § 15.1-21-05](#)

Authorizes the superintendent of public instruction to develop an Indian education curriculum to be implemented within the minimum curriculum requirements for elementary and secondary schools. The superintendent will provide for continuing research and evaluation and for inservice training necessary to implement any Indian education curriculum.

Oklahoma

[OKLA. STAT. TIT. 70 § 3-104](#)

The state board of education is responsible for submitting to the governor a departmental budget based upon major functions of the department, which includes Indian education.

[OKLA. STAT. TIT § 74-1201](#)

The duties of the Oklahoma Indian Affairs Commission include developing and promoting cooperative programs between tribal governments, state government and private entities in the areas of health, education, tourism and economic development.

[OKLA. STAT. TIT § 74-1226.14](#)

Authorizes the Native American Cultural and Educational Authority to create an endowment fund for the purpose of providing educational or vocational scholarships to members of federally recognized Indian tribes located in the state.

Oregon

[OR. REV. STAT. § 342.144](#)

Directs the Teacher Standards and Practices Commission to establish an American Indian languages teaching license. The commission may not require an applicant to hold a specific academic degree, to complete a specific amount of education or to complete a teacher education program to receive an American Indian languages teaching license.

Each American Indian tribe may develop a written and oral test that must be successfully completed by an applicant for an American Indian languages teaching license in order to determine whether the applicant is qualified to teach the tribe's native language.

An American Indian languages teaching license qualifies the holder to accept a teaching position in a school district, public charter school, education service district, community college or state institution of higher education. A holder of an American Indian languages teaching license who does not also have a teaching license may not teach a subject other than the American Indian language they are approved to teach by the tribe.

South Dakota

[S.D. CODIFIED LAWS § 13-15-2](#)

Authorizes the secretary of education to enter into contracts with the U.S. Department of the Interior for the education of Indian children, to receive grants of federal funds for that purpose, and to expend such funds under rules determined by the state board of education.

[S.D. CODIFIED LAWS § 13-15-3](#)

Authorizes the school board of any school district to enter into contracts with the U.S. Bureau of Indian Affairs or any other federal departments, agencies or their authorized agents for the education of children who are of legal school age and have school residence within the district and who are entitled to free public education. Contractual agreement may be in the form of tuition charges mutually agreed upon, by the sharing of education operational costs and facilities or by any other type of contractual agreement that will be of benefit to the school district.

[S.D. CODIFIED LAWS § 13-55-14](#) through [S.D. CODIFIED LAWS § 13-55-14.3](#)

Establishes a scholarship program for any person who is a resident of South Dakota and who is an enrolled member of a federally recognized Indian tribe whose reservation is located in the state. Scholarships may be awarded to any eligible person who is enrolled in an institution under the jurisdiction of the board of regents, is classified as a junior, senior or graduate student, is maintaining satisfactory academic progress and has established financial need. Scholarships may be awarded to a sophomore if there are funds available and the person meets all other eligibility criteria. Scholarship awards may not exceed \$250 per semester.

[S.B. 88](#) (2006)

Any student who is a graduate of an accredited high school operated by the U.S. Bureau of Indian Affairs in the state is entitled to resident classification for the purposes of postsecondary education at a state supported institution.

Washington

[WASH. REV. CODE § 28A.320.170](#)

Encourages each school district's board of directors to incorporate curricula about the history, culture and government of the nearest federally recognized Indian tribe or tribes, so that students learn about the unique heritage and experience of their closest neighbors. Encourages districts near the state's borders to include federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but who now reside in Oregon, Idaho and British Columbia. Encourages school districts and tribes to work together in developing the curricula.

As they conduct regularly scheduled reviews and revisions of their social studies and history curricula, school districts are encouraged to collaborate with any federally recognized Indian tribe within their district, and with neighboring Indian tribes, to incorporate expanded and improved curricular materials about Indian tribes, and to create programs of classroom and community cultural exchanges.

Encourages districts to collaborate with the office of the superintendent of public instruction on curricular areas regarding tribal government and history that are statewide in nature, such as the concept of tribal sovereignty and the history of federal policy towards federally recognized Indian tribes. The program of Indian education within the office of the superintendent of public instruction is encouraged to help local school districts identify federally recognized Indian tribes whose reservations are in whole or in part within the boundaries of the district and/or those that are nearest to the school district.

[WASH. REV. CODE § 28B.108.005](#) through [WASH. REV. CODE § 28B.108.070](#)

Establishes the American Indian Endowed Scholarship Program, to be administered by the higher education coordinating board.

In administering the program, the board's powers and duties include:

- Selecting students to receive scholarships, with the assistance of a screening committee composed of persons involved in helping American Indian students to obtain a higher education
- Adopting necessary rules and guidelines

- Publicizing the program
- Accepting and depositing donations into the endowment fund
- Requesting and accepting from the state treasurer moneys earned from the trust fund and the endowment fund
- Soliciting and accepting grants and donations from public and private sources for the program
- Naming scholarships in honor of those American Indians from Washington who have acted as role models.

For an undergraduate student, the amount of the scholarship may not exceed the student's demonstrated financial need. For a graduate student, the amount of the scholarship may not exceed the student's demonstrated need, or the stipend of a teaching assistant – including tuition – at the University of Washington, whichever is higher. In calculating a student's need, the board must consider the student's costs for tuition, fees, books, supplies, transportation, room, board, personal expenses and childcare. Students are eligible to receive a scholarship for a maximum of five years. However, the length of the scholarship will be determined at the discretion of the board.

Tribal Colleges in the States²

Arizona

[Diné College](#)
[Tohono O'odham Community College](#)

California

[D-Q University](#)

Kansas

[Haskell Indian Nations University](#)

Michigan

[Bay Mills Community College](#)
[Keweenaw Bay Ojibwa Community College](#)
[Saginaw Chippewa Tribal College](#)

Minnesota

[Fond du Lac Tribal and Community College](#)
[Leech Lake Tribal College](#)
[White Earth Tribal and Community College](#)

Montana

[Blackfeet Community College](#)
[Chief Dull Knife College](#)
[Little Big Horn College](#)
[Fort Peck Community College](#)
[Fort Belknap College](#)
[Salish Kootenai College](#)
[Stone Child College](#)

Nebraska

[Little Priest Tribal College](#)
[Nebraska Indian Community College](#)

New Mexico

[Crownpoint Institute of Technology](#)
[Southwestern Indian Polytechnic Institute](#)
[Institute of American Indian Arts](#)

North Dakota

[Cankdeska Cikana \(Little Hoop\) Community College](#)
[Fort Berthold Community College](#)
[Turtle Mountain Community College](#)
[United Tribes Technical College](#)
[Sitting Bull College](#)

Oklahoma

[Comanche Nation College](#)

South Dakota

[Oglala Lakota College](#)
[Sinte Gleska University](#)
[Sisseton Wahpeton College](#)
[Si Tanka University](#)

Washington

[Northwest Indian College](#)

Wisconsin

[College of Menominee Nation](#)
[Lac Courte Oreilles Ojibwa Community College](#)

Wyoming

[Wind River Tribal College](#)

Primary Sources:

State statutes.

Additional Sources:

1. Alaska Department of Community and Economic Development, *Background on Boroughs in Alaska*, November 2000: http://www.commerce.state.ak.us/dca/lbc/pubs/Bkg_Boro_Govt.pdf

2. American Indian Higher Education Consortium, *Current Roster of the Tribal Colleges*, accessed March 2006: <http://www.aihec.org/CollegeRoster.html>

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